

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

WALTER C. SMITH, III,

Defendant.

Case No. 06-cr-30070-DRH

ORDER

HERNDON, District Judge:

Now before the Court is defendant Walter C. Smith, III's Motion to Continue trial (Doc. 16). Defendant asks to continue the trial "in order to allow the defendant to adequately prepare to defend this case after receiving full disclosure of discovery and to further allow for the continuation of plea negotiations" (*Id.* at ¶ 4). The Government does not object. The Court being fully advised in the premises finds pursuant to **18 U.S.C. § 3161(h)(8)(A)**, the ends of justice served by the granting of such continuance outweighs the best interests of the public and Defendant in a speedy trial.

Therefore, the Court **GRANTS** Defendant's Motion to Continue (Doc. 16). The Court **CONTINUES** the jury trial scheduled for Monday, July 10, 2006 at 9:00 a.m. to **Monday, October 2, 2006 at 9:00 a.m.** The time from the date the original motion was filed, June 30, 2006, until the date to which the trial is

rescheduled, October 2, 2006, is excludable time for the purposes of speedy trial.

IT IS SO ORDERED.

Signed this 5th day of July, 2006.

/s/ David RHerndon
United States District Judge